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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Inventor M. L. Obradovich

Case 9800.1024

Serial No. 09/923,125

Examiner TBA

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Group Art Unit 2173

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Technology Center 2100

Title Centralized Control and Management System for Automobiles

DECLARATION OF YIP

THE COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231

Sir:

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Alex L. Yip, under penalty of perjury, declares:

1. I am an attorney for applicant in the present application.
2. Applicant provided me with relevant parts of a 2001 Lexus Navigation System Owner's Manual for vehicle model LS 430 (the "Manual") to ascertain infringement of certain claims of the application. I identify Exhibit 1 attached is a copy of the cover and Table of Contents of the Manual. I understand from applicant that he obtained the Manual from Lexus (a division of Toyota Motor Sales, U.S.A., Inc.) which is for distribution to owners of the 2001 Lexus vehicle model LS 430 (the "Lexus Vehicle") sold in the United States.
3. Based on my review of the Manual parts, it is of my opinion that they show infringement of certain claims in the present application.



4. Exhibit 2 relates to radio operation of an audio system in the Lexus Vehicle. In particular, section (b) on page 114 of the Manual shows station selector switches 1-6 which may be preset to different radio stations. By pressing one of the selector switches, a user can tune in the corresponding station.

5. Exhibit 3 relates to a radio data system (RDS) made part of the audio system.

6. Exhibit 4 relates to searching RDS radio stations using an "RDS SRCH" switch. According to section (e) on page 117 of the Manual, if RDS stations are found, the stations are read and preset by program type --Rock, Easy Lis (Easy listening), CLS/Jazz (Classical Music and Jazz), R&B (Rhythm and Blues), Inform (Information), Religion, Misc., and Alert (Emergency message). Specifically, an FM TYPE mode screen displays "*** RDS Stations Found" (** indicates the number of stations which are found), and ones of the aforementioned station selector switches 1-6 are preset to the RDS stations in each program type. If in one program type, more than 6 stations are found, the 6 stations are preset in the order of the lower frequency. In addition, one can change the program type selection by pressing the "<" or ">" TYPE key.

7. I believe the limitations of base claim 21, and dependent claims 22, 24, 29 and 30; base claim 31, and dependent claims 32, 34 and 40; base claim 41, and dependent claims 42, 44 and 49; base claim 50, and dependent claims 51 and 53 in the application are met by the above-described Lexus RDS radio operation.

8. Method claim 41 is directed to a method for use in a system in a vehicle for receiving entertainment programs provided by multiple sources (e.g., RDS radio stations in the Lexus Vehicle), where the entertainment programs are classified in categories based on contents of the entertainment programs (e.g., program types in the Lexus Vehicle). Claim 41 requires associating indicators (e.g., ones of the station selector switches 1-6 which may be preset to different radio stations in the Lexus Vehicle) with

the categories of the entertainment programs (e.g., after an RDS search is performed in the Lexus Vehicle, RDS radio stations are read and preset by program type). The illustration in section (e) of Exhibit 4 demonstrates "presenting, for a given category, a collection of one or more indicators associated with the given category, thereby facilitating selection of a source represented by an indicator in the collection to receive an entertainment program classified in the given category," as claim 41 further requires. The category may be given by pressing the "<" or ">" TYPE key in the Lexus Vehicle.

9. Dependent claim 42 further specifies that at least one of the sources is a radio station (e.g., RDS radio station in the Lexus Vehicle).

10. Dependent claim 44 further specifies that at least one of the sources is an audio source (e.g., RDS radio station in the Lexus Vehicle).

11. Dependent claim 49 further specifies that the source is selected by selecting the indicator representing the source (e.g., one of the preset station selector switches 1-6 in the Lexus Vehicle).

12. Method claim 50 is directed to a method for use in a system in a vehicle for receiving entertainment programs provided by multiple sources (e.g., RDS radio stations in the Lexus Vehicle), where the entertainment programs are classified in categories based on contents of the entertainment programs (e.g., program types in the Lexus Vehicle). Claim 50 requires selecting one of the categories (e.g., using the "<" or ">" TYPE key in the Lexus Vehicle). It further requires providing an option associated with a source (e.g., one of the radio selector switches in the Lexus Vehicle preset to an RDS radio station) which provides an entertainment program classified in the selected category, the option being selectable to receive the entertainment program from the source associated therewith.

13. Dependent claim 51 further specifies that at least one of the sources is a radio station (e.g., RDS radio station in the Lexus Vehicle).

14. Dependent claim 53 further specifies that at least one of the sources is an audio source (e.g., RDS radio station in the Lexus Vehicle).

15. System claim 21 which closely tracks method claim 41 described above is similarly infringed. While not explicitly stated in the Manual, it is inherent that a processor, recited in the claim, is used in the Lexus system to associate the indicators with the categories of the entertainment programs.

16. Dependent claim 22 further specifies that at least one of the sources is a radio station (e.g., RDS radio station in the Lexus Vehicle).

17. Dependent claim 24 further specifies that at least one of the sources is an audio source (e.g., RDS radio station in the Lexus Vehicle).

18. Dependent claim 29 further specifies that the source is selected by selecting the indicator representing the source (e.g., one of the preset station selector switches 1-6 in the Lexus Vehicle).

19. Dependent claim 30 further specifies that a user interface includes a display (e.g., the FM TYPE mode screen in the Lexus Vehicle).

20. System claim 31 which closely tracks method claim 50 described above is similarly infringed.

21. Dependent claim 32 further specifies that at least one of the sources is a radio station (e.g., RDS radio station in the Lexus Vehicle).

22. Dependent claim 34 further specifies that at least one of the sources is an audio source (e.g., RDS radio station in the Lexus Vehicle).

23. Dependent claim 40 further specifies that a user interface includes a display (e.g., the FM TYPE mode screen in the Lexus Vehicle).

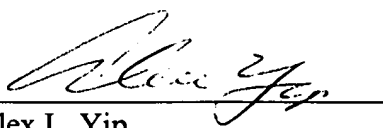
24. With the limited information in hand, I currently cannot form an opinion as to whether the remaining claims are infringed or not infringed.

25. The parent application of which the present application is a Rule 60 continuation was examined, allowed and matured into U.S. Patent No. 6,275,231. Specifically, claims 21-26 and 40-45 in the issued patent are analogous to the claims in the present application. No independent search of art has been made to determine whether the Examiner's search was complete. However, based on the searches of the parent case, it is believed that I have a good grasp of the pertinent prior art.

26. The art cited by the Examiner in the parent case has been carefully reviewed. In my opinion, all claims of the present application are allowable.

I declare under penalty of perjury that the foregoing is true and correct.

Date: February 8, 2002
Attachments: Exhibits 1-4



Alex L. Yip
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